

REMARKS

Claims 11-13 have been canceled without prejudice.

As requested by the examiner and as a follow-up to the personal interview, the applicant asserts that Philips does not disclose each of applicant recited claim limitations and thus can not serve as a basis for rejecting the claims as anticipated, and Philips teaches away from applicant's disclosure and therefore can not serve as the basis for an obviousness rejection.

Applicant's disclosure is directed to minimizing the amount of unnecessary transmissions in a TCP/IP environment when used with a wireless communications system. Specifically, applicant discloses maintaining a message queue **at the source radio** and providing **the source radio** with functionality to receive and compare acknowledgement messages with messages stored in the message queue in order to minimize unnecessary wireless communications.

Each of applicant's independent claims 1, 4, 6, and 8, include the limitation that the source radio maintains a message queue. Phillips is directed to a system for eliminating unnecessary retransmissions in a TCP/IP environment in wireless communication system. Note, however, that there is no disclosure of maintaining a message queue (or a message queue alternative) **at the source radio**. Instead, Phillips discloses the use of a slow link TCP optimizer which determines whether a data packet is valid based on a round trip timer and data tables. The data tables stores the sequence number, the end of packet, the expected sequence number and the highest sequence

number only for a current time. Phillips determines whether the message is a valid packet, a valid retransmission or an unnecessary retransmitted packet as a function of the round trip timer (RTT) and/or the data tables. (Fig 10; Col. 9 lines 42-63). Importantly, Phillips expressly discloses that the use of the round trip timer and the reduced data in the data tables “**eliminates a need for a buffer queue**”. (Col 9, lines 56-63). Additionally, data tables 516 only stores values for the current time and thus cannot be considered to be a queue at all.

Thus, Philips teaches away from maintaining a message queue at the source radio and thus each of the independent claims are allowable over Phillips. Reconsideration and allowance of the pending claims is requested.

Respectfully submitted,



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